

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TERRY KENNEDY,

Plaintiff(s),

VS.

BANK OF AMERICA, N.A., ET AL.,

Defendants.

Case No.: 12-cv-952-YGR

**ORDER CONTINUING HEARING ON ORDER TO
SHOW CAUSE REGARDING PLAINTIFF'S
FAILURE TO COMPLY WITH CIVIL LOCAL
RULES 3-4(C) AND 7-4(B)**

TO COUNSEL OF RECORD FOR PLAINTIFF TERRY KENNEDY:

The Court has received Plaintiff's Response to Order to Show Cause re: Failure to Comply with Civil Court Rule 3-4(c)(2) and 7-4(b) (Dkt. No. 30). Plaintiff's counsel submitted a five-page, approximately 1,000-word statement, of which only about 200 words were devoted to why counsel should not be sanctioned. The ultimate response – “Counsel inadvertently failed to remain in compliance with the local rules” – does little to explain the reason for the failure. Here, the page limits did not curtail diligent and zealous advocacy.

Attached to this Order is a copy of a law journal article, Julie A. Oseid, *The Power of Brevity: Adopt Abraham Lincoln's Habits*, 6 Journal of Ass'n Legal Writing Directors 28 (2009). Counsel for Plaintiff is directed to read the article and to submit a statement to the Court of no more than one (1) page indicating compliance. This statement shall be filed with no later than May 25, 2012.

The hearing on the Order to Show Cause currently set for Friday, May 11, 2012, is VACATED AND RESET to Friday, June 8, 2012, on the Court's 9:01 a.m. calendar, in the Federal

1 Courthouse, 1301 Clay Street, Oakland, California, in a courtroom to be designated. If Plaintiff's
2 counsel submits a timely and compliant statement, the Court will take the Order to Show Cause
3 hearing off calendar and no sanctions will issue.

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5 **IT IS SO ORDERED.**

6 Dated: May 9, 2012


7 **YVONNE GONZALEZ ROGERS**
8 **UNITED STATES DISTRICT COURT JUDGE**

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